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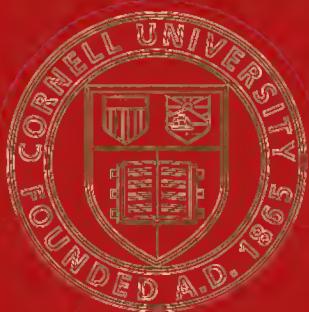
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Historical sketch of the vestry system.



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# HISTORICAL SKETCH OF THE VESTRY SYSTEM



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# HISTORICAL SKETCH OF THE VESTRY SYSTEM.

IT was a favourite saying of the late Sir Conrad Reeves that the Vestries were older than the House of Assembly. There can be little doubt that this view is historically correct. While there is no precise evidence as to the year in which the first Vestry met in this island, we have reliable information that during the period from 1630 to 1637 six churches, besides some chapels, were built, and the care of the parishes was committed to some of the principal men in each parish "who were called the Vestry, and had power to place and displace their ministers, and to allow them yearly stipend." The reader may ask—Why not eleven churches instead of six? Because only six parishes, viz.: Christ Church, St. Michael's, St. James's, St. Thomas's, St. Peter's and St. Lucy's, were formed in Governor Tufton's time (1629-30); the other five were not added until Governor Bell's time (1641-50). And we know that the infant church in Barbados was placed under the immediate jurisdiction of the Bishop of London in 1634. This testimony accords with what we should have *a priori* expected from the nature of Vestries as representative institutions operating over small areas of country, taken in conjunction with the fact that the men concerned were Englishmen. The first settlers brought the common law of England with them; and the common law vestry was an assembly of the minister, churchwardens and inhabitants of the parish (at least those who paid church rates,) commonly held in the *vestry*, i.e., the place where the minister's *vestments* were kept, for the despatch of the affairs and business of the parish. As churches were built therefore, such assemblies naturally and inevitably sprang up without legislative enactment, as Professor Seeley observed concerning Houses of Assembly—they were not formally instituted, but grew up of themselves, because it was the nature of Englishmen to assemble." And the eminent Oxford historian, Freeman, used to say that the true kernel of all our political life must be looked for in the parish vestry.

The Vestry of Christ Church, or at least 12 or 14 of them, were imprisoned by Major Henry Huock (Governor in 1640-1) for three or four days before they were even allowed to make their defence. They were coming—so the narrative runs—in a seasonable time of the day with a petition to the Governor, 'without any tumult,' and while they were in a storehouse drinking and debating as to who should deliver the petition, they were apprehended by command of the Governor. What their alleged offence was—whether it was

the drinking in the storehouse, or what else—we are unable to gather; but the wording of their petition (if such was their suspected offence) was probably by no means as emphatic and incisive as that of the reply which the Vestry of the same parish presented to the Governor in September 1902.

Thus the evidence with regard to the Vestries proves pretty clearly that the system was in existence before the time of Governor Bell, by whom, as tradition has uniformly asserted, the first regular Assembly was called. There is vague evidence that Governor Hawley in 1639 summoned a "Parliament" of 33 members, but even if 22 of these were representatives of the 11 parishes, we have still good ground, as shown above, for asserting that at all events six vestries were anterior in date to any House of Assembly.

## ELECTION OF THE VESTRY.

How have vestries been elected? Who have been qualified to be members? And who to vote?

*Candidates and Electors.*—No writ from the Executive was ever necessary to give a legal foundation to a Vestry election; whereas in the case of an election to the Assembly a writ was always required. The earliest extant Statute on the subject of Vestries, bearing date 30th August 1656, provides that "all the freeholders of every parish within this island shall repair to their respective parish churches every year successively on the second Monday in January and there by their free voices chuse sixteen persons to be the vestrymen of their parish for the year ensuing. All freeholders, be it noted, were to take part; but in process of time it became a matter of dispute whether the class of voters ought to be coextensive with the whole body of freeholders; ~~or~~ by the Act of 5th August 1697 a freeholder for the purpose of being capable of electing or being elected a member of Assembly or a vestryman was required to be a white man, professing the Christian religion, and a free and natural-born or naturalised subject of the King of England, who had attained the age of 21 years, and who possessed 10 acres of land in fee or for life, or a house in a town of the annual value of £10 or 2000 lbs of muscovado sugar. To put it shortly, the ten-acre man and the ten-pound house-owner could vote or be elected for the Assembly or Vestry in the parish where his property was situated. This franchise was continued by the Acts of 1709 and 1721, and underwent no

material alteration until 1831 when three important innovations were made:—

- (1) Jews were admitted to the franchise.
- (2) Free coloured men were admitted to the franchise.
- (3) The value of a town house to confer the franchise was raised from £10 to £30.

We thus see that for over 130 years the franchise remained the same; and it may be roughly stated that during the same period there was no important alteration in any article of the law relating to the Vestries.

The great change came in 1840. By the celebrated Franchise Act of that year which came into operation at the end of 1842, a revolution was wrought in the qualifications of electors and candidates for both the Vestry and the Assembly. Voters for either body were to be:—

1. Owners of land of the annual value of £20.
2. Lessees paying a rent of £100.
3. Occupiers of town buildings rated at £50.
4. Payers of parochial taxes for 2 years at £5 a year.

The qualifications for Vestry candidates then introduced were the same as those still in force. All values were at that time expressed in currency.

The next change was in 1884, when the then existing franchises were lowered in value, and the income, lodger, and "fancy" franchises were added. But in 1896 all these last were struck off the list of vestry electoral qualifications.

*Place and time of Election.*—Until 1838, all elections were held in the parish churches. An Act of that year required that for the future the St. Michael's elections should be held in the Town Hall, and those of the other parishes in places to be chosen by the Churchwardens.

From 1656 (and probably earlier) the election began on the second Monday in January, and the poll (if any) was taken on the same day. The distinction between Nomination day and Polling day was not introduced until 1867, when the first Monday in January was appointed for the election, and the following Monday for taking the poll, when one was necessary. If from any cause a Vestry could not be chosen on the second Monday then, by an Act of 1745 the electors were empowered to meet on every succeeding Monday until they should have elected 16 vestrymen. By an Act of 1728 the election was required to begin between 8 and 9 o'clock in the morning, and might extend over the following day if necessary; and the poll was to be closed at 4 o'clock in the afternoon unless the candidates consented to an earlier closing. If the election could not be completed in the two days allowed, a fresh one had to be begun on the following Monday: the Sheriff could not adjourn the incomplete election. By the Vestries Act of 1848 elections were limited to one day, except in St. Michael's; and this exception was abolished by the Act of 1874.

*The Presiding Officer* was, by the Franchise Act of 1721, the senior Justice of the Peace present, and if no Justice were present, then the "vestryman first named in the church-books" of the last Vestry and present at the election. He was not then formally denominated

"Sheriff." This arrangement remained in force until 1884, when in default of a Justice, the electors were permitted to choose their own Sheriff.

*The Poll: How taken.*—No specific statutory direction on this point appears until 1721, when the presiding officer was required to write down the names of the electors in several columns, i. e., one for each candidate. The "good old days" of open voting did not terminate until the passing of the Ballot Act in 1885.

The public declaration at the close of the poll of the names of those elected, and the return thereof to the Rector of the parish, were first specifically provided for in the Act of 1848; although doubtless the law as then promulgated was merely declaratory of ancient usage.

*Number of Members.*—Originally, the Vestry was composed, as we have seen, of all the rate-paying inhabitants of the parish. After a time this body proved too large and unwieldy for the transaction of business; and then the "Select Vestry" sprang into being—consisting of a limited number of members, at first self-elected (of course with the tacit approval of the majority of ratepayers), and afterwards formally chosen by a show of hands or a poll taken. Whether the primary form of Vestry ever existed in this island can only be matter of conjecture: our earliest extant records shew us the Select Vestry in operation. In 1649 the Vestry of St. John's consisted of 24 members, in 1652 of 23, in 1653 of 18. By the Act of 1656 the number was fixed at 16, and no change was made until 1838, when the number for St. Andrew's was reduced to 10. In 1848 the number for all the remaining parishes, except St. Michael's, Christ Church and St. Philip's, was reduced to 10. Under the Act of 1891 the number for the last named parishes was to be not more than 16, and not less than 10; and for the other parishes not more than 10 and not less than 6. In 1899 St. Philip's was transferred to the latter category.

Until 1891 no man could be a member of more than one Vestry at the same time.

*Controversied Elections* were by the Act of 1721 directed to be determined by the Governor and Council on petition lodged within 4 days after the election. This enactment merely declared and regulated the old practice, because we find, for example, that, in 1705 both the St. Thomas's and the St. George's elections were set aside on petition to the Governor and Council—the former on the ground that, contrary to the intent of the law, the freeholders had not been caused to subscribe their names in columns. Again in 1706 the St. George's election was controversial before the same tribunal by Mr. Charles Egerton, who appears by his action in this respect to have stirred up very bitter feeling against himself in the parish generally. No change took place until 1879 when the jurisdiction to entertain election petitions was transferred to the Chief Judge. The celebrated contest of 1890 between the old and the new vestries in St. Michael's is fresh in every one's recollection. By the Act of 1715, where the election was declared void, the freeholders were authorised to meet on the Monday following the decision and proceed to a new election in the usual manner. Now the day appointed is

the second Monday after the decision.  
MEETING OF THE VESTRY.

At common law the Vestry were summoned by the Churchwardens with the consent of the Minister, who was generally considered as entitled, when present, to preside. The Act of 1656, after reciting that complaints had been made of the neglect of Vestrymen to meet at the appointed times for the management of parish affairs, enacted that any Justice of the Peace might summon the Vestrymen, Churchwardens, and other parish officers to meet at the Church about Parish and Church concerns, and any of them failing to attend without an excuse approved by the Justice, were liable to be fined 500 pounds of muscovado sugar. In most instances probably the summons was issued on the initiative of the Rector, perhaps after consultation with the Churchwarden. It was not until 1884 that power was given to any 5 members to summon a meeting or to require the clerk to do so. In 1891 this right was conferred on any 3 members.

The place of meeting was originally, as pointed out above, the *vestry* room, *i.e.*, the *vestment* room. Until quite recent years, the Vestries always met in some room in the church—usually in the tower: this, it is believed, is still the practice in some parishes. In other parishes they meet in the school room or at some other place outside the church: in St. Michael's, at the new Parochial Building. Vestrymen were for a long time liable to fines for wilfully omitting to perform certain duties, such as to appoint surveyors of highways.

*The Chairman.*—As stated above, the common law chairman was the Rector. In process of time, however, inasmuch as some parishes had no glebe land, it came to be doubted whether in such cases the Rector, not being a freeholder, could legally be a vestryman. And so it was enacted in 1705 that the Rector, albeit he had no sufficient freehold, should be *virtute officii* a member of the Vestry, which was therefore to consist of 17 members; and that no Vestry should be held without notice to the Rector if there was one in the office and he was not absent from the island. By the Act of 1848 it was provided that in the absence of the Rector the Churchwarden, and in his absence the eldest vestryman present should preside. By the Act of 1891 the Chairman was restricted to a casting vote.

#### PAROCHIAL OFFICERS.

About the year 1650 the Vestry used to appoint the following officers:

- 2 Churchwardens,
- 2 Sidesmen,
- 6 or 7 Surveyors of the Highways,
- 5 or 6 Constables.

The Sidesmen were assistants to the Churchwardens in inquiring into the doings of evil livers; and the senior Sidesman of one year became the junior Churchwarden of the next. If the Vestry failed to appoint Surveyors or Constables the duty of so doing fell to the Justices in Quarter Sessions. In process of time the Vestry ceased to appoint the Constables.

*The Churchwarden.*—Churchwardens were an essential concomitant of churches. A late well-known politician in Barbados remarked some years ago that after prolonged inquiry he had discover-

ed that a churchwarden had no more to do with a church than a boat-swain (at a sugar mill) had to do with a boat. This conclusion contains a large element of truth; but even at the present day it is not wholly true. Two-and-a-half centuries ago it would have been wholly untrue. The earliest extant statutory references to these officers occur in two Acts, one bearing no date but ascertained to have been passed somewhere between 1641 and 1650, and the other dated 11th March 1648. The first-mentioned Act required the Churchwarden to provide a strong pair of stocks to be placed as near as conveniently might be to the church or chapel, and along with the constables and sidesmen at some time during service every Sunday to search taverns, alehouses, and other places where "lewd and debauched company" were suspected to frequent, and if they found any person drinking, swearing, gaming, or otherwise misde-meaning themselves, to apprehend them and bring them to the stocks, where they were to be imprisoned for 4 hours unless they paid five shillings to the Churchwarden for the use of the poor. By the same Act Churchwardens were upon election to office to be sworn by Justices of the Peace "in manner and form according to the Laws and Constitutions of the Kingdom of England"; and they were likewise required to present offenders at the Quarter Sessions. The Act of 1648 conferred power on the Churchwardens to attach and sell lands and houses for payment of the levies made by the Vestries for church dues.

An order by the Governor and Council of 28th May 1655 directed the Justices of the Peace to give an account to "the Treasurers of the several parishes" of the monies and goods they had received under the penal statutes against drunkenness, swearing and profane and blasphemous cursing. These Treasurers were the Churchwardens, who until 1848 collected and disbursed the rates, and acted as Vestry Clerks. By Acts of 1720 and 1738 the Churchwarden was required to be some honest and substantial inhabitant, to be appointed for one year on 25th March or within 21 days thereafter; and the same man could not be chosen two years in succession. Security was to be taken if possible; if no person could be found willing to give security, then the person first chosen by the Vestry was to be the Churchwarden. This officer was required to lay his accounts before the Vestry every six months; and at the end of his year to account for all monies and sugars received and all payments made by him, on failure to do which he forfeited £1,000 currency to the use of the poor of the parish.

"Vestry vices and parochial peculation" are not a peculiar product of the nineteenth century, for Acts of 1720 and 1738 recited that the churchwardens had often abused their trust by failing to account, and by converting large sums of money to their own use. And a paragraph from the first newspaper established in the island—*The Barbados Gazette*—under date 12 January 1784, exemplifies that state of things: "It has been matter of astonishment that notwithstanding the fact is notorious to everybody that the parish [St.

Michael's] has within these few years been defrauded of some thousand pounds, no public notice at all has been taken of it, but we have rested satisfied therewith as if really it were not amiss to do so, but that it was looked upon as a kind of right for any man to keep in his hands or to run away with what money he could secure, on having had interest enough to be chosen a Vestryman so often as to take it in turn to be Churchwarden."

In 1845 the Churchwarden was found to be liable to the parish of St. Michael's for the sum of about £2,500, chiefly through misappropriations by his clerk. And many persons still living remember the scandal of 1857, when the Parochial Treasurer of the same parish was discovered to have been guilty of defalcations to the amount of £1660.

The duties of the Churchwarden in regard to the Church and the poor, and such others as strictly appertain to that office at common law are still performed by that official. One of the incidents of the office is that he has the custody and possession of all chattels, such as the bells, books, etc., belonging to the Church.

The Churchwarden of St. Michael's was in 1866 authorised to appoint a clerk at a salary of £50 a year—increased in 1878 to £75; but the post must be held by some person other than the Vestry Clerk.

*The Parochial Treasurer.*—The office of Collector of Rates and Parochial Treasurer was created by the Act of 1848, which required the person appointed to discharge the duties of Vestry Clerk as well, and transferred to him all the duties of the Churchwarden except those specified above as still appertaining to that office. This officer has always, after nomination by the Vestry, been subject to the approval of, and been removable by the Governor—at first in Council, and after 1881 in Executive Committee.

*The Vestry Clerk.*—In 1850 the Parochial Treasurer of St. Michael was relieved of the duties of Vestry Clerk, and the appointment of a clerk at £30 a year was authorised. In 1862 the salary was increased to £100, and in 1882 the Vestry were empowered to pay such salary as they might think fit. In 1873 the other Vestries were authorised to pay their Parochial Treasurers for doing the work of Vestry Clerks.

*The Assessors.*—Up to 1850 all assessments were made by a Committee of Vestrymen. In that year St. Michael's was authorised to appoint 4 assessors, not members of the Vestry, at salaries not exceeding £15 a year each. In 1856 St. Peter's was authorised to appoint 2 at not exceeding £10 each; and in 1874 a general power was given to Vestries to appoint any number of such officers and to pay a fair remuneration to such as should not be vestrymen.

*The Auditor.*—As far back as 1657 we find a committee of three appointed by the Vestry of St. John "to take the Churchwarden's accounts"; but it was in 1874 that statutory authority was first given to employ an auditor of the parish accounts at a salary to be settled on the making up of the year's estimates. In 1891 the condition was imposed that the Auditor should be approved, and be removable for incapacity or miscon-

duct, by the Governor-in-Executive Committee.

#### POWERS AND DUTIES OF THE VESTRY.

The earliest function of the Vestry was to levy the church dues for the support of the minister and the upkeep of the church generally. About 1733 we find their duties declared by the Legislature to be the maintenance of the poor, the support of the clergy, the reparation of the church, churchyard and parsonage, and the defraying of other parochial expenses; and such they remain.

Under this general head it will be necessary to deal with the objects and matters for which it is the duty of the Vestry to make provision, and the ways and means available for the purpose.

Under the former head have been or are included.—

#### *The Stipend of the Minister (i.e. Rector).*

For a long time this was wholly paid by the Vestry. It was fixed originally at one pound of sugar for every acre of land in the parish; but in 1661 the Vestry were authorised, "forasmuch as sugar had lately fallen to a very low value," to raise as much beyond the one pound as would afford the minister a comfortable livelihood. In 1705 it was enacted that the minister should receive £150 a year in lieu of the pound of sugar per acre, and the Vestry should have power to increase the sum according to the merit of the recipient. In 1720 every gift by the Vestry to the minister exceeding £70, beyond the salary of £150, was declared to be invalid unless confirmed by the Governor. This restriction was put on the ground that the clergy had intermeddled in Vestry elections with a design of increasing their stipends. The clergy first began to draw from the Treasury in 1807, when it was provided that every Rector should receive £150 from that source in addition to the £150 from the parish. But the Vestries continued to make presents to favourite clergymen; and an Act of 21st March 1826 fixed a salary for the Rectors of £500 (currency) from the Treasury and forbade the Vestries to make presents to anybody.

*Poor Relief* has always from early times been administered through the instrumentality of Overseers of the Poor—now called Guardians; but no specific enactment as to their appointment is to be found until 1851, when the Vestry were required to appoint 3 or more of their body to be Guardians and Overseers in addition to the Churchwarden. In 1873 the Vestry were further directed to appoint 5 Commissioners of Almshouses, not necessarily from their own body, to make regulations for the good government of the almshouses and for the employment of the inmates.

By the Act of 1880, which established the Poor Law Board, the system was remodelled, and provision was made for the appointment by the Vestry of a Board of Guardians consisting of 3 of their number, one of whom must be the Churchwarden, who should be Chairman. Such remuneration as the Vestry might think proper was authorised, and it was provided that the Board should meet at least once a fortnight.

The education of poor children was formerly included within the scope of poor relief—and indeed is still one of the objects committed by statute to the

care of the Vestry. But since the passing of the Education Act of 1878 the necessity for expenditure on this head, except to the extent required by the Education Act (for the upkeep of school buildings, etc.,) has ceased.

**Charities.**—Many charities endowed by private benefactors, such as the Frizer's annuities, have been from time to time entrusted to the management of the Vestries.

**Bridges.**—The bridges in Bridgetown were formerly under the control of St. Michael's Vestry. In 1818 the Legislature granted that body £1,000 for the repair of the New Bridge or the construction of another in its place. In 1835, however, Commissioners were appointed by statute to repair the New Bridge at a cost of £500, on account of its dangerous condition. Manifestly the Vestry had been neglecting their duty in this particular.

**Police and Lighting.**—An Act of 1813 authorised the Vestry of St. Michael's to provide for the watching and lighting of Bridgetown at a cost not exceeding £2,000 a year. A watch committee was appointed to supervise 24 hired watchmen, and 50 lamps were fixed up in the principal streets. This was the first step towards the establishment of a police force in the town, and towards the practice of lighting the streets.

On the establishment of a more regular police force in 1834 the parish was required to contribute £2,000 a year towards the upkeep of it. In 1845 a refusal by the Vestry to lay the necessary rates for the purpose caused much friction between that body and the Executive; and in 1847 the parish was relieved of the burden altogether.

Under the second head indicated above must be considered—

**The Laying of the Rates.**—The parochial revenue appears prior to 1848 to have been raised by the imposition of rates on owners of lands and houses and on traders and inhabitants in proportion to the rents of their houses and the profits of their trades and professions. In that year the rating of professional men and officials was declared illegal by the Governor and Council: and by the Vestry Act of the same year the rating was confined to owners and occupiers of lands and houses, and persons carrying on trade in respect of their stock in trade and other visible personal property yielding profit in the parish. The burden was extended to bankers, brokers, commission merchants, insurance companies, etc., in 1884. Occupiers of lands or houses of less than the annual value of £10 were exempted from rating in 1876, and owners of chattel buildings of less than the same annual value were exempted in 1891.

About the year 1750 the rates in some parishes amounted to half a crown an acre: they were seldom less than 1/3 in any. In St. Michael's the expenditure was about £2,300 a year—£1,400 for the support of the poor, and about £900 for the stipends of the ministers and other expenses. The amount raised in St. Michael's about 1850 was somewhat over £5,000.

The rating of transient traders in recent years is merely a revival of a very old practice. As far back as 1722 the Vestries of St. Michael's, Christ Church, St. James's and St. Peter's were empowered to assess and set a rate on all new-comers

and non-residents trading in those parishes not exceeding £2 per cent. on the value of the goods they "traded for." These rates were published and confirmed in the usual way. St. Michael's raised about £900 a year in this way: the other three parishes hardly anything. In 1825 the "mere transient trader" was distinguished from those who had constantly traded with the island for 7 years at least, and the tax on the latter was reduced to 5/ per cent. These Acts were all repealed in 1848. In 1895 transient traders were required before doing business to pay for a license such sum as the Vestry might determine in each case.

**Publication and Confirmation of the Rates.**—The Act of 1656 directed that the rates should be published three Sundays in the parish church and, if no exception were taken, should be approved of and confirmed by the Governor and Council. Confirmation was first made a requirement by this Statute, which recited that it was "burthensome, grievous and intolerable" to the inhabitants of this island to pay the assessments and levies imposed upon them by the Vestries under the power granted those bodies by a previous statute, and that many people's estates had been exhausted and taken from them to pay such levies; and it then enacted that, in order to reduce such power to a limited and known lawful way of assessing and levying, "no assessment either 'upon land or by the head should be valid until confirmed."

Publication is now made by keeping the rates open for inspection at the Parochial Treasurer's Office during 21 successive days.

**Objections to the Rates.**—These were always heard by the Governor and Council until 1879, when the jurisdiction was vested in the Chief Judge.

The earliest objection to parish rates now to be found on record is that taken by Constant Sylvester on behalf of himself and Col. Thos. Middleton to a "levy" made by the Trustees (Vestry) of St. George's in 1654. The Governor and Council ordered that the Vestry should meet again on the following Monday, and that all who had any objection to make against the levy should then appear before the Vestry, who on the Tuesday following should give an account of their proceedings before the Governor and Council. On the Tuesday two of the Vestry appeared and made oath before the Council that Sylvester had consented to the levy; and then it was confirmed.

A curious case occurred in 1698 when John Phillips, a merchant, complained against the Vestry "at Speights" for being illegally taxed by them and the Governor and Council adjudged that it was no legal Vestry, one of the members not being a freeholder.

An early instance of amending instead of disallowing the rates occurred in 1695 on objection by Hon. John Gibbs to the St. Michael's levy. The Council determined that there was inequality in the rating as between lands and houses, and directed the Vestry to increase the rates on the houses by twenty-five per cent.

Very few objections have, it is believed, ever been taken to the rates of the rural parishes. In St. Michael's, of course, such objections have been fre-

quent : in 1862, for instance, the rates of that parish were quashed.

**APPOINTMENT AND PROVISION FOR THE EXPENDITURE OF OTHER PAROCHIAL BOARDS.**

**Highway Commissioners.** Under the name of surveyors these were at a very early time appointed by the Vestries. By the Highways Act of 1661 they were to be 4 in number, and possessors of 20 acres of freehold or 30 of leasehold land. To meet expenses, the Vestry assessed the owners of land and houses, and traders according to their stocks, in contributions of labour or sugar not exceeding a fixed statutory limit.

In 1799 the Vestry were directed to choose not more than 5 nor less than 3 proper persons as "Commissioners," and were empowered to lay rates to defray the salaries of the Assistants (Inspectors) and certain other charges. The contributions for repair of the roads were to be of the same nature as before. Later on, the Commissioners were the two members of Assembly for the parish, and one of their own body elected by the Vestry ; and the highway tax was fixed by statute.

In 1845 the public roads of the whole island were placed by statute under the care of a Board of Commissioners, to be repaired at the expense of the general revenue. The late Mr. John Inniss was appointed Surveyor General. A sum of about \$60,000 was spent on the work, and by the end of 1846 most of the main roads had been put into excellent condition.

In 1855 it was enacted that the Commissioners for the several parishes should be 3 fit and proper persons appointed by the Vestry—an arrangement still in force except in Bridgetown, where under the Act of 1891 the Commissioners are 5 of their own body and 4 other fit and proper persons not of their own body appointed by the Vestry.

**Commissioners of Health** were first appointed under the Public Health Act of 1851. They were the members of Assembly for the parish, and five persons nominated by the Vestry from their own body. The Vestry were directed by the same Act to place at the disposal of the Commissioners such sums of money as they might from time to time think it expedient to grant : in 1853, however, this was altered by making it compulsory on the Vestry to supply such sums as the Commissioners might call for. It was enacted in 1891 that the Health Commissioners for St. Michael's should be the Highway Commissioners for Bridgetown ; and in 1892 that the Commissioners for the rural parishes should be 5 persons appointed by the Vestry of whom not less than 3 should be members of Vestry. The Act of 1892 also authorised the Vestries to pay the Health Commissioners 10/ each per meeting.

**Westbury Cemetery Commissioners.**—These have been since 1878, when the Board was first constituted, 5 Vestrymen appointed by the Vestry at their first meeting every year. To defray any expenditure beyond the amount received for fees, etc., the Vestry are required to lay rates.

**RELATIONS OF THE VESTRIES WITH THE CENTRAL GOVERNMENT.**

In the early days of the Colony the Executive exercised a far larger measure of control over the Vestries than would be either assumed or tolerated at the present day. For example, the Governor and Council in 1655 made orders on the Vestries of St. James's and St. Michael's to provide relief for certain paupers who had applied to the Executive for help ; and also ordered all the Vestries to appoint committees of 3 of their number to inquire into the estates and general condition of all orphans, and to report to the Governor and Council within three months. Complaints had been made that orphans' estates were embezzled and wasted by those to whose charge they had been entrusted. After a lapse of seven months such Vestries as had failed to comply with the order were commanded to appear before the Governor and Council to shew cause why they had not obeyed.

In June 1660 an order of the Governor and Council directed the Churchwardens to take an exact list of all Irish in their several parishes, and return the names of turbulent and dangerous spirits.

In 1681 the Vestries were ordered to inquire and report as to what charitable gifts had at any time been presented to their respective parishes ; and within a few months reports from almost all the parishes were handed in by the Rectors.

Under the Act of 1738 the Governor and Council had power to appoint the Churchwarden in case the Vestry failed to do so.

Process for the recovery of rates was by attachment under the hand of the Governor issued at the time of the confirmation of the rates, and that is why we still find in the schedule to the Colonial Secretary's Office Act an item which most people are unable to understand the meaning of, viz., "Allowance for a parish levy and execution £1." In 1654, prior to the passing of the earliest Vestry Act still in existence, we find the Vestry of St. George's obtaining from the Governor and Council an "execution for getting in the arrears of church dues," and this method continued in force until 1848, when the existing modes of procedure were introduced. The same means was resorted to for recovering from the Churchwarden any arrears due from him to the parish when he retired from office.

The Executive sometimes assisted the Vestries in other ways, as in January 1658 when the Vestry of St. Peter's complained that Robert Breviter detained all the books, papers and other things belonging to the parish church, at "Speights Bay alias little Bristol," and though often required refused to give them up, whereby parish affairs were much obstructed ; and the Governor and Council ordered that Breviter should deliver the books etc., to certain named persons or show cause at the next meeting of Council.

In 1827 when the rates of St. John's came up for confirmation in Council a proposal was made that before confirming them the Council should require the Vestry to give an account of how they proposed to spend the money : but

happily the motion was rejected by 5 votes to 2.

From an early period until the nineteenth century the Vestries had an important statutory function to discharge in the operation of raising the general revenue. By what was known as a "Levy" Act, direct taxation was frequently imposed on owners of slaves, windmills, carriages, etc., to assist in meeting the expenditure of government. In order that the owners of houses and traders in the towns might be made to bear a fair share of the burden, a fixed sum was imposed on each of the towns according to its size (e. g., Bridgetown, £750; Speightstown, £150; Holatown, £22; Oistins Town, £11), and the respective vestries were required to apportion these sums amongst the inhabitants according to their ability, and to make a return thereof to the Treasurer. This task has long ceased to be imposed upon them; but other definite collateral duties are still assigned to them by various statutes, such as the Preservation of Trees Act and the Mongoose Destruction Act. Such duties, however, are all the creatures of Legislative Act; and administrative orders from the Governor and Council have for upwards of two centuries been out of the question. Whosoever complains of any neglect of duty on the part of a Vestry must resort to the courts of law, as was proposed to be done in 1845 when the St. Michael's Vestry refused to raise the contributions, previously alluded to, of £2,000 towards the upkeep of the Town Police. The Council urged the Governor to direct the Attorney General to proceed against the Vestry, and the Assembly voted the necessary funds; but at length the Vestry receded from the position they had taken up.

#### THE JEW VESTRY BILL.

Few men of the present day know that an Act was passed in 1820 authorising the Jews—who were then a numerous body in the island—to elect amongst themselves their own Vestry of 5 members, to whom power was given to manage all business relating to their religious establishment and the maintenance of their poor, and to lay and collect rates for the purpose, which were to be published on 3 Sabbath days in the Synagogue, and confirmed by the Governor and Council. The Act was, however, disallowed by the King in Council.

#### CONCLUSION.

The Act of 1818 was the first systematic and comprehensive piece of legislation on the subject of Vestries ever placed on our Statute Book; and the innovations therein contained excited the most lively discontent amongst one section of the community—known as the "Radicals"—whose sentiments were voiced by an organ called *The News*, published by Mr. Ben Goodridge. This paper declared that complaints were rife that the new Vestry Act could not be understood or worked, and that many of the old members, disgusted by the innovations on old usages of 193 years standing, and rendered diffident by the obscure nature of the Act, would not again offer themselves for election.

And so indeed, it happened; for owing to an insufficiency of candidates, no Vestry was elected for St. Michael's in the year 1849, in spite of repeated adjournments of the election from Monday to Monday. When the month of May arrived and found the parish still without a Vestry, Mr. Holligan introduced a Bill to provide for the appointment by the Governor or Commissioners to lay the rates and carry on the business of the parish. Public indignation caused a withdrawal of the Bill; but when another month had elapsed, and still the affairs of the parish remained unprovided for, a similar Bill, introduced by Mr. Attorney General Sealy, passed unanimously. Under this measure the old members of Vestry were to be the Commissioners. Several of them declined to serve, but the others were appointed, and performed the necessary work.

About 1863 the late Mr. Bradford Griffith began the attempt to inaugurate a movement in favour of a Single Chamber—what he speciously and grandiloquently called a "Combined Parliament"—with the view of paving the way for the infamous Confederation agitation of 1876; and in the reports published by him as Auditor General for 1874 and 1875 he confidently predicted the early extinction of the Vestries, and the merging of their duties in some "general plan" under a more central administration.

Governor Freeling's Poor Relief Commission (1875-1878), recommended the transfer of the administration of poor relief from the Vestries to 2 or 3 Commissioners appointed by the Governor, on the alleged ground that the Vestries were incapable of giving that attention to the matter which it required."

About 1883 or 1884 Governor Sir William Robinson convoked a meeting of the Churchwardens and the Central Poor Law Board with himself to consider the expediency of transferring the above-mentioned duty to the last-named body. Mr. Attorney General Reeves attended at the Governor's request, and after His Excellency had expressed himself in favour of the scheme, the Attorney General observed that he felt it to be his duty to remind the assembled Churchwardens that, if the Vestries relinquished the duty of providing for the maintenance of the poor, there would be nothing left for them to do but to look after the fabric of the Church—in fact Othello's occupation would be gone, and there would set in an inevitable process of decay which would very soon wipe those bodies off the face of the earth. Such conduct on the part of the first law officer of the Crown—a sort of Balaam for the occasion—evoked the Governor's displeasure, but it was not in Reeves's nature to act any other part than that of an honest and zealous patriot, as he had done in 1876. He, like all true political thinkers, had firmly grasped the truth that in the political education of the people the Vestry is a more important factor than the House of Assembly, for the simple reason that the electors are in closer touch with its general course of action, and by the immediate pressure of direct taxation are impelled to scrutinise its conduct with a more vigilant eye; and in this way gradually acquire a first-hand

knowledge of the reasons and methods of things political. The impetuous and over-energetic official worships the idols of uniformity and centralisation ; but the citizen who is wise will ponder the words of Sir Thomas Erskine May.—“That Englishmen have been qualified for the enjoyment of political freedom is mainly due to those ancient local institutions by which they have

been trained to self-government. The affairs of the people have been administered not in Parliament only, but in the Vestry, the Town Council, the Board-meeting, and the Court of Quarter Sessions. England alone among the nations of the earth has maintained for centuries a constitutional polity ; and her liberties may be ascribed, above all things, to her free local institutions.”

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